THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3703 OF 2006

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Dated: 27-02-2006

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Between

Bobba Krishan Sagar,

S/o late Dharma Rao,

Occ: Architect,

R/o. H.No.7-1-6129/A,

Ameerpet, Hyderabad.

…PETITIONER

AND

The District Collector,

Ranga Reddy District,

Lakdikapool, Hyderabad

and another.

…RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus to declare the action of the respondents in contemplating the allotment of agricultural land in S.No.176/2 to an extent of Ac.2.23 guntas, in S.No.176/3 to an extent of Ac.2.02 guntas and in S.No.176/4 to an extent of Ac.2.33 guntas total admeasuring to an extent of Ac.7.18 guntas situated in Aziznagar revenue

village, Moinabad Mandal, Ranga Reddy District in favour of B.S.F. without invoking provisions of the Land Acquisition Act and without authority as illegal and arbitrary.

Learned counsel for the petitioner submits that out of said land when an extent of 11 guntas was acquired in S.Nos.176/2 and 176/3, compensation was paid for the lands acquired by the Government treating the petitioner as the absolute owner and possessor. But now the respondents without taking recourse to any of the provisions of the relevant acts viz., Land Acquisition Act, Land Encroachment Act and the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 are taking steps to dispossess the petitioner without any justification whatsoever.

I am not inclined to express any opinion as to whether the petitioner is the rightful owner of the said lands but having regard to the fact that the petitioner has been in long standing possession of the said lands, the respondents are directed not to dispossess the petitioner without following due procedure prescribed in law.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

February 27, 2006

Note: Furnish C.C. of the order by 01.03.2006

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DSK